



IFW

PATENT  
Customer No. 22,852  
Attorney Docket No. 7552.0020

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of: )  
)  
Silvio Cavalcanti et al. ) Group Art Unit: 3763  
)  
Application No.: 10/765,149 ) Examiner: Unassigned  
)  
Filed: January 28, 2004 )  
)  
For: AN APPARATUS AND METHOD ) Confirmation No.: Unassigned  
FOR MONITORING A VASCULAR )  
ACCESS OF A PATIENT )  
SUBJECTED TO AN )  
EXTRACORPOREAL BLOOD )  
TREATMENT )

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

**SUPPLEMENTAL INFORMATION DISCLOSURE**  
**STATEMENT UNDER 37 C.F.R. § 1.97(b)**

This Supplemental Information Disclosure Statement (IDS) is being filed in addition to the IDS filed on August 20, 2004.

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(b), Applicant brings to the attention of the Examiner the documents listed on the attached PTO Form 1449. To the knowledge of the undersigned, this Supplemental Information Disclosure Statement is being filed before the mailing date of a first Office Action on the merits for the above-referenced application.

Copies of the listed documents, including any copending patent applications, are attached.

Applicants respectfully request that the Examiner consider the listed documents and indicate that they were considered by making appropriate notations on the attached form.

The following is a concise statement of relevance of the non-English language document, SU 1013853 A.

1. SU 1013853 A discloses a method for determination of inflammatory process in an organism involving dilution of a blood sample in a saline solution and measuring the optical density of the obtained suspension at three different wavelengths. Improved accuracy is achieved by testing the cloudiness spectrum of a suspension of red blood corpuscles, measuring the relative refractive index of the corpuscles, the concentration of dry substances and the concentration of corpuscles in the blood and determining the presence of an inflammatory process according to the reduction of these indicators relative to a norm.

In lieu of a statement of relevance or translation of the non-English language document, WO 98/17334, which was provided in the IDS filed on August 20, 2004, an English language version of a PCT International Search Report in a corresponding application citing this document and setting forth its relevance is enclosed. Applicants do not necessarily endorse the conclusions set forth in the Search Report. For the Examiner's convenience, an English-language Abstract of WO 98/17334 is also enclosed. In addition, Applicants enclose an English language abstract of EP 1020199, which was also cited in Applicants' IDS filed on August 20, 2004.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that each or all of the listed

documents are material or constitute "prior art." If the Examiner applies any of the documents as prior art against any claim in the application and Applicants determine that the cited documents do not constitute "prior art" under United States law, Applicants reserve the right to present to the office the relevant facts and law regarding the appropriate status of such documents.


Applicants further reserve the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should one or more of the documents be applied against the claims of the present application.

If there is any fee due in connection with the filing of this Statement, please charge the fee to our Deposit Account No. 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,  
GARRETT & DUNNER, L.L.P.

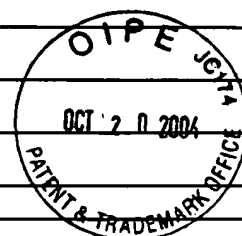
Dated: October 20, 2004

By:   
Aaron L. Parker  
Reg. No. 50,785

784614\_1

## INFORMATION DISCLOSURE CITATION

Atty. Docket No.	7552.0020	Appln. No.	10/765,149
Applicant	Silvio Cavalcanti et al.		
Filing Date	January 28, 2004	Group:	3763



## FOREIGN PATENT DOCUMENTS

	Document Number	Publication Date	Country	Class	Sub Class	Translation Yes or No
	SU 1013853	04/23/1983	Russian Federation			Abstract

## OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

	N.M. Krivitski, "Cardiac Output Measurement in Extracorporeal Systems by Ultrasound Velocity Dilution," American Society for Artificial Internal Organs, 1994 Abstracts, 40 <sup>th</sup> Anniversary Meeting April 14-16, 1994, Abstract p. 82.
	Jan Göthlin, et al., "A Dye-Dilution Method for the Determination of Blood Flow in Cimino-Brescia Arteriovenous Fistulae," <i>Investigative Urology</i> , Vol. 15, No. 2, pp. 167-168.
	R. N. Greenwood, et al., "Assessment of Arteriovenous Fistulas from Pressure and Recirculation Studies: Clinical Experience in 215 Upper Limb Fistulas," <i>Proc EDTA-ERA</i> (1985) Vol. 22, pp. 296-302.
	Arthur C. Guyton, <i>Textbook of Medical Physiology</i> , 1991 pp. 287-288.
	M. Krämer, "Automated measurement of recirculation," <i>EDTNA ERCA JOURNAL</i> XIX no. 2, April 1993, pp. 6-9.
	Nikolai M. Krivitski, "Novel Method to Measure Access Flow During Hemodialysis by Ultrasound Velocity Dilution Technique," <i>ASAIO Journal</i> , pp. M741-M745
	B.M.T. Lantz, et al., "Determination of Blood Flow Through Arteriovenous Fistulae and Shunts," <i>Acta Radiologica Diagnosis</i> 20 (1979) Fasc. 5, pp. 727-736.
	Paulo Rocha, M.D., et al., "Arteriovenous Shunt Measured by Bolus Dye Dilution: Reproducibility and Comparison Between Two Injection Sites," <i>Catherterization and Cardiovascular Diagnosis</i> , Vol. 11, pp. 473-481 (1985).
	S. Gottlieb, et al., "Radiotracer Method for Nonsurgical Measurement of Blood Flow in Bovine Graft Arteriovenol's Fistulas," <i>Proc. Dialysis Transplant Forum</i> , 1976, pp. 107-108.
	M. Salamon and P. Svitok, "A Low Frequency Electrodeless Conductometer for Measuring the Electrical Conductivity of Solutions," <i>United Kingdom Atomic Energy Authority Industrial Group Headquarters, Risley, Warrington, Lancashire</i> pp. 3-12 and "Summary" (1959).
	International Search Report for International Application No. PCT/IB2004/000022
	An English-language Abstract of EP 1 020 199 A2
	An English-language Abstract of WO 98/17334

Examiner	Date Considered
<p>*Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.</p>	